

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8884 of 2021

Juel Shekh

....

Petitioner

Mr. K.K. Rout, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.K. Maharaj,
Additional Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

03.01.2022

Order No.

4. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 22.08.2021 in correction with Cuttack Sadar P.S. Case No. 689 of 2020 corresponding to G.R. Case No. 2951 of 2020 of the court of learned J.M.F.C.(R), Cuttack for the alleged commission of offence under Sections 457/380 of the IPC.
4. The allegation against the petitioner is that he along with some other persons broke into the mobile shop of the informant and committed theft of several mobile handset and cash of Rs.1,70,000/- as also TV and AC set.
5. It is submitted by learned counsel for the petitioner that except for one mobile nothing was seized from the possession of the petitioner and that a case has been attempted to be built up by exaggerating the facts.

6. Learned Additional Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that though the petitioner does not have any criminal antecedents yet from his modus operandi, it is clear that he is a habitual offender and therefore he will not be released on bail.

7. Having regard to the rival submissions and the materials on record, the fact that the charge sheet has already been submitted in the case and several stolen articles have already been recovered in the meantime, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court below may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.

8. The BLAPL is accordingly disposed of.

9. Urgent certified copy of this order be granted on proper application.

(*Sashikanta Mishra*)
Judge